



United States District Court  
Northern District of New York.

Jeremy Joseph Reynolds  
Plaintiff

9:20-cv-0686  
(TJM/ML)

v

J. O'Gorman, et. al.,  
Defendant

### Amended Complaint

Plaintiff Demands a trial by Jury

Plaintiff in the above-captioned action alleges as follows.

Fourteenth Amendment - Equal Protection, Due Process.

Eighth Amendment. - Cruel and unusual Punishment.

### Jurisdiction

1. This is a civil action seeking relief/or Damages to defend and protect the rights guaranteed by the Constitution of the United States. This action is Brought Pursuant to 42 U.S.C § 1983 The court has Jurisdiction over this action Pursuant to 28 U.S.C §§ 1331, 1333 (3) and (4) and 2201.

### 2. Parties

Plaintiff: Jeremy Joseph Reynolds

Address 594 Route 216

Stormville NY 12582

3.1. Defendant: J. O'Gorman.  
Official Position: Deputy Commissioner  
Address: New York Dept. of Correctional, Albany NY.

2 Defendant: A. Cuomo  
Official Position: Governor of New York.  
Address: State Capitol, Albany NY

3 Defendant: A. Annucci  
Official Position: Director of Special Housing  
Address: Dept. of Correctional, Albany NY

4. Defendant: T. Stone  
Official Position: Co  
Address: Clinton Corr. Facility  
PO Box 2001, Dannemora NY 12929

5. Defendant: K. Wood  
Official Position: Co  
Address: Clinton Corr. Facility  
PO Box 2001, Dannemora NY 12929

6. Defendant: N. Bola  
Official Position: Co  
Address: Clinton Corr. Facility  
PO Box 2001, Dannemora NY 12929

7. Defendant: Bell  
Official Position: Superintendent  
PO Box 2001, Dannemora NY 12929

8. Defendant: Zarniak

Official Position: DSS

Address: Clinton Corr. Facility,

Po Box 2001 Dannemora NY 12929

9. Defendant: Delutis

Official Position: Capt.

Address: Clinton Corr. Facility

Po Box 2001 Dannemora NY 12929

10. Defendant: ~~Holt~~ Holdridge

Official Position: DSS

Address: Clinton Corr. Facility

Po Box 2001 Dannemora NY 12929

11. Defendant: Bradford

Official Position: 1<sup>st</sup> Dep.

Address: Clinton Corr. Facility

Po Box 2001 Dannemora NY 12929

12. Defendant: Trombley

Official Position: D.S.A

Address: Clinton Corr. Facility

Po Box 2001 Dannemora NY 12929

13. Defendant: J. Ormsby

Official Position: CO

Address: Clinton Corr. Facility

Po Box 2001 Dannemora NY 12929

14. Defendant: B. ~~Mc~~ McIntyre

Official Position: CO

Address: Clinton Corr. Facility

Po Box 2001 Dannemora NY 12929

15. Defendant: S. Siskovich  
Official Position: CO  
Address: Clinton corr. Facility  
PO Box 2001, Dannemora NY 12929

16. Defendant: A. Christon.  
Official Position: CO  
Address: Clinton corr Facility  
PO Box 2001, Dannemora NY 12929

17. Defendant: D. Smith  
Official Position: CO  
Address: Clinton corr Facility  
PO Box 2001, Dannemora NY 12929

18. Defendant: N. Darras  
Official Position: CO  
Address: Clinton corr. Facility  
PO Box 2001, Dannemora NY 12929

19. Defendant: D. Bombarier  
Official Position: Sgt. Sgt.  
Address: Clinton corr Facility ✓  
PO Box 2001, Dannemora NY 12929

20. Defendant: P. Clancy  
Official Position: CO  
Address: Clinton corr. Facility  
PO Box 2001, Dannemora NY 12929

21. Defendant: K. Randall  
Official Position: SGT  
Address: Clinton corr Facility  
PO Box 2001, Dannemora NY 12929

22. Defendant: Z. Reese

OFFICIAL POSITION: CO

ADDRESS: Clinton Corr. Facility

Po Box 2001, Dannamora NY 12929

23. Defendant: D. Duquette

OFFICIAL POSITION: SGT,

ADDRESS: Clinton corr. Facility

Po Box 2001, Dannamora NY 12929

24. Defendant: T. James

OFFICIAL POSITION: SGT

ADDRESS: Clinton corr. Facility

Po Box 2001, Dannemora NY 12929

25. Defendant: T. King

OFFICIAL POSITION: SGT

ADDRESS: Clinton corr. Facility

Po Box 2001, Dannemora NY 12929

26. Defendant: D. Provost

OFFICIAL POSITION: CO

ADDRESS: Clinton Corr Facility

Po Box 2001, Dannemora NY 12929

27. Defendant: M. McShane

OFFICIAL POSITION: CO

ADDRESS: Clinton Corr. Facility

Po Box 2001, Dannamora NY 12929

28. Defendant: ~~W. Lester~~ W. Leclar  
Official Position: SGT  
Address: Clinton corr. Facility  
Po Box 2001, Dannemora Ny 12929
29. Defendant: T. Baxter  
Official Position: CO  
Address: Clinton corr. Facility  
Po Box 2001, Dannemora Ny 12929
30. Defendant: S. Gonyo  
Official Position: CO  
Address: Clinton corr. Facility  
Po Box 2001, Dannemora Ny 12929
31. Defendant: J. Nephew  
Official Position: CO  
Address: Clinton corr Facility  
Po Box 2001, Dannemora Ny 12929
32. Defendant: L. Forkey  
Official Position: CO  
Address: Clinton corr Facility  
Po Box 2001, Dannemora Ny 12929
33. Defendant: M. Carter  
Official Position: CO  
Address: Clinton corr. Facility  
Po Box 2001, Dannemora Ny 12929
34. Defendant: M. Ashline  
Official Position: CO  
Address: Clinton corr. Facility  
Po Box 2001, Dannemora Ny 12929

35. Defendant. A. Cymbrik  
Official Position: Co  
Address: Clinton Corr. Facility  
Po Box 2001, Dannemora Ny 12929

36. Defendant. L. Whalen  
Official Position: E.M.P  
Address: Clinton Corr. Facility  
Po Box 2001, Dannemora Ny 12929

37. Defendant. ~~C. Deltis~~ C. Deltis  
Official Position Capt.  
Official Address: Clinton Corr. Facility

38. Defendant. J. Mahan  
Official Position: CO  
Address: Clinton corr. Facility  
Po Box 2001, Dannemora Ny 12929

39. Defendant. Sweeney  
Official Position: A.D.S  
Address: Clinton corr Facility  
Po Box 2001, Dannemora Ny 12929

4 Place of present confinement, Green Haven corr. Facility  
594 Route 216  
Stormville Ny 12585

A. Is there a Prisoner grievance procedure at this Facility? Yes

B. If your answer to 4-A is Yes, did you present the facts  
of your complaint in this grievance program? Yes.

(I I) What was the final result regarding your complaint? None as its been over a year with no response from C.O.R.C and I wrote them many letters and there is no other appeal option open to me.

If your answer to H-C is No why did you not choose to not complain about the facts relating to your complaint in such prison? I did complain and filed all grievance steps with no response from C.O.R.C.

5. Previous Lawsuits? None.

A. have you filed other lawsuits or Federal Courts Regarding your complaint? No

B. If your answer to 5-A is Yes you must describe any and all lawsuits, currently pending or closed, in the space below? None

(I) Parties to previous lawsuits? None.

(II) Court (if Federal Court, name District; if State Court Name County)? None.

(III) Docket Number? None

(IV) Disposition of State or Federal Courts? None.

(V) All Name of Judge to whom case was assigned? None

(VI) Approximate date of disposition? None

(6). Facts of lawsuit

Set forth the facts of your case which substantiate your claim of violation of your civil and/or constitutional rights. List the events in the order they happened,

(I) IF yes what steps did you take. I filed multiple grievances one on 6-12-19 then again on 6-13-19 and again on 6-15-19 and the last grievance I wrote was on 7-1-19. I sent all grievances to inmate grievance Resolution Committee (IGRC). As I did not get a response within 16 days I filed a appeal on 7-3-19 to Superintendent Bell. I was not satisfied with his response so appealed to C.O.R.C. They have not responded in over 12 months. I've tried to exhaust my remedies and as there is no other grievance appeal left to me and the policy is so spec. I have no more remedies open to me.

(II) What was the final result of your grievance? It's been over a year with no response, and I wrote C.O.R.C. in Albany on 8-20-19 by us mail. Then have wrote every 3 months by mail. with no response at all.

If your response to H-13 is no why did you choose not to present the facts relating to your complaint to the grievance program? I did report it.

C. If there is no grievance procedures in your institution did you complain to prison authorities about the facts alleged in your complaint? I filed grievance and also complained to authorities.

(I) What steps did you take? I filed multiple grievances with IGRC then filed a appeal to Superintendent Bell. Then appealed to ~~SEC~~ C.O.R.C and wrote to Albany C.O.R.C with no response in over 12 months.

Naming defendants involved, Dates and Places.

Note: you MUST include in cluded allegations of wrongful conduct as to Each and Every defendant in your complaint.

on 6-11-2019 at approximately 4:40 pm why housed at the Clinton corr. Facility, in the main yard. 3 Black inmates attacked inmate Blanchard. Co Ashline gave the order (to get on the ground) and stop Fighting. which I did. The Black inmates (that I don't have there names of due to foil would not release them. Keep assaniting inmate Blanchard. at this time Co SGT Bomradier observed a Four man Fight broke out. on the Flats of the North yard, he activated a level, via Facility Radio. The Co D. Provost, Fired one state issued Round or Projectile into the yard, at which time all inmates got onto the ground and stopped Fighting. Co D. Provost used accsive Fource By Firing a Round in to a group of inmates that was already on the ground. Co D. Provost Fired into a group of inmates that had no part in this 4 man Fight. I was not Part OF this Four man Fight and the OFFicer used accsive Fource on me and other inmates. Violating my Eighth amendment - cruel and unusual Punishment as I was on the ground and not part of the fight. this Cos acted wantonly and in Bad Faith, by Firing into a crowd of inmates that had complied to orders of Co Ashline. Co Ashline could clearly see that Co D. Provost was Firing at inmates that was not involved in the 4 man Fight. This action caused me Pain & SUFFERING as I've got Breathing troubles, thin inmates stop Fighting and got on the ground, yet Co J. Grimsby Fired one Round into the inmates. Co Grimsby's Fired Round was eccesif Fource and violates my Eighth - amendment - cruel and unusual Punishment.

at this time Cos. McShane, Co Stone, Co K.Wood, Co Provost Co Provost Fired 6 more Rounds one of which hit me in the Face and Knocked out one of my Teeth and caused pain and suffering, also swelled my right eye closed. the OFFicers K.Wood Co Stone and Co Provost used excessive Fource on me and other inmates which caused Pain and a

great deal of pain, at the time all inmates was on the ground and Co's J. Ormsby, Co mc shane, Co Stone, Co K Wood, Co Provost all violated my Eighth amendment rights. cruel and unusual punishment.

At this time all inmates was on the ground and Complieing with orders of Co Ashline, CoS Ashline and Sgt. Bomardied did not stop this use of Fource on inmates that did not have anything to do with the Fourman Fight. Co Ashline and Sgt Bomardied did not stop this. They violated my Eighth amendment rights of cruel and unusual punishment. As they did not stop CoS from firing rounds at inmates that did not do anything.

thin CoS T. Stone, K Wood, W Bolo, J. Ormsby, B. mcintyre, Co S. Siskavich, Co A. Christon, Co D. Smith, Co W. Daras Co-Sgt D. Bombarier, Co. P. Clancy, Co K Randell - Sgt. and Co. ~~Z~~ Reese, Co-Sgt. T. James, Co-Sgt T. King Co's, M. McShane, Co-Sgt W. Lecler, Co T Baxter, Co S. Gony Co. J. Nephew, Co. L. Forkey, Co. M Carter, M. ashline, Co A. Cymbark, Co-Capt C. Deltis, Co. J. Maham all reported to Clinton main yard to provide security & Safty. at this time 2 Black John Doe inmates attacked inmate Ryan with weapons all officers fled the yard. whin it was plain to see that white inmates was Beeing targited by groups of Black inmates Co. T Stone violated my Eighth amendment rights of equal protection. by abandoning his duty to protect, Co K. Wood violated my Eighth amendment rights by abandoning his duty to protect. Co ~~A. Blata~~ W. Bolo violated my Eighth amendment rights of equal protection by abandoning his duty to protect. Co J. Ormsby violated my Eighth amendment rights by not providing equal protection. Co B. mcintyre violated my Eighth amendment rights of equal protection by not providing equal protection and abandoning his duttys. Co S. Siskavich did not provide equal protection, he violated my Eighth amendment rights. Co A. Christon did not provide equal protection by abandoning his post and duttys.

Co. D. Smith did not provide protection, he abandoned his duty and violated my Eighth amendment rights by not providing me with equal protection. Co. W. Darros did not provide equal protection and subjected me to cruel and unusual punishment, violating my Eighth amendment rights. Sgt Z. Reese did not provide equal protection and violated my Eighth amendment rights by abandoning his duties. Sgt T. James violated my Eighth amendment by subjecting me to cruel and unusual punishment, by abandoning his duty. Sgt T. King abandoned his duties and violated my Eighth amendment rights by abandoning his duties.

Co J. McShane, Co-Sgt W. Lecler, Co. Capt. Baxter, Co S. Gonys Co. J Nephew, Co L. Forkey, Co M. Carter, M. ashline, Co - ~~J. Nephew~~, Co A. Cymbark, Co C. Delts, Co J. maham all abandoned their duty to provide safety and security by abandoning there duties. They all violated my Eighth amendment rights of cruel and unusual punishment & Equal Protection.

only after the upored Named Co's abandoned there duties was I attacked. It was resonable to assume and John Doe inmate would of been provided ~~an~~ equal protection under similler Serconstances. I recived a number of Pharyisical injuries, including 3 6in Razer cuts, 3 Broken Right ribs, a colaped lung and numeruse other injarys. all Because the abored Named Cos. did Not act with any Resonable regard to my safety. As I Set on the ground it was clear to see that white inmates was Being targited, and all ~~upored~~ above Named Co's could see that was the case, after all above Named Co's left the yard was I attacked by John doe inmates, about 20 in all. As I was knocked unconcuse I dont have much memory of this. Co could easily see it was only the white inmates Being attack and any other inmate under the

Same contishions would of been protected by all named cos.  
mainly of this ~~cos~~ inmates

had weapons in the yard.

at no time was there any resonable threat to cos named.

as I woke up co were standing over me. at this time co Chagnon escorted me to hosp. 1st Foor. as I was

comming in I complained to Supt Bell, D.SS Zarnek

Capt. Delutis, DSS holdridge, 1st Dep. Bradford, DSA-

Thombley and 1st D. Bombardier, Sgt. K. Randall,

Co-Sgt D. Duquette, Sgt T. James, Co-Sgt T. King

Co-Sgt W. Leclair, Emp. L. Whalen, Capt C. Delutis

that I was injourd and could not walk, at this time

Supt. Bell violated me Eighth amendment rights to Be  
free off unusual punishment. DSS ~~holdridge~~ holdridge

treated me with deliberirite indeFrance and violated  
my Eighth amendment rights. 1st Dept Bradford treated  
me with crual and unusal punishment by seeing I was  
Hurt and in pain and making me walk to the hosp.

he violated my Eighth amendment rights. D.S.A -Sgt W.-

Leclair treated my in deffontly and with crual and  
unusal punishment by seeing my pain and making  
me walk to infurmary. he violated my Eight amendment  
by crual and unusal punishment, and in deFrance.

E.M.P L. Whalen treated me indifrent by  
making me walk to the infurmary. and Violated my  
Eighth amendment rights. Capt. D. Delutis also

treated me with indifrance and crual and unusual  
Punishment in violation of my Eighth amendment

Rights.

I was thin taken to the outside hospital and treated.  
~~I had 3 Broken right Ribs~~ at Champlain Valley Physicians hospital. I had 3 Broken Right Ribs. 3 6" cuts to my Back that took 13 Stiches to close. Swelling check, Number 6 Bottom tooth Losse and lots of other Lacerations caused by 20 or more inmates attacking me with weapons why I Named Co's did Not do anything to Stop the assault on me, were any other inmate could of Reasonable been Protected by the Name Staff.

I was returned after it was discovered I had a collapsed lung. I spent 15 hr in E.R and thin spent 3 days on the 3rd Floor of Prison hospit. before I was returned to the main prison at Clinton. At that time I was served a tire 3 ticket. Went to hearing wear A.D.S. ~~Sweeny~~ Sweeny did my hearing. She did it at Clinton on 6-17-19 and used statements of Co's and video footage. She did Not provide me a Fair and impartial hearing as I pointed out in the video I was never Fighting, never Not complying with orders, and Not causing or disturbance. The video used clearly shows this. So A.D.S. Sweeny violated my Fourteenth amendment, by Being UnFair and impartial. This is a Due process violation. She did Not relieve of facts that showed I did Not violate any Rules. Namely the video.

I received 60 days keep lock, as The conditions of my cell did not met standerd and I'm a mental heath levial 2 inmate this time was

atypical and was a mental hardship to me with I can show in my mental health files, It was not fair and I suffered great mental pain because ADS. Sweeny was impartial and unfair. This hearing was at Clinton on 6-17-2019, Tape #19-787 held by ADS Sweeny on 6-17-2019 and completed on 6-20-2019 at Clinton. I was given 60 days keep lock and lose of all privileges. I appealed to D. Venetozzi on 6-21-2019 The appeal was ~~not~~ turned over. But D. Venetozzi was mad a wair of my unlawfull treatment and did not take action. He violated my Eighth amendment rights of equal protection. on 6-23-19 I wrote to J. O'Gorman the Deputy Commissioner and he did not take action violating my Eighth amendment rights of equal protection. I wrote him by us mail. on 6-23-19 I wrote to A. Cuomo the governor of New York and he did not respond or take action for my unlawfull treatment he violated my Eighth amendment. The grievance process is so ~~open~~ <sup>open</sup> that it leaves the grievance process unavailable to ~~me~~ me. Its opaque its been over a year with no response by CO, RC I've wrote lots of letters trying to get response. And there is no other appeal options open.

End Statement!

## 7. Causes of Action

Note you must clearly state each cause of action  
~~asserted~~ you assert in this lawsuit.

### First Cause of action.

Officers did not provide me protection. I received in Jorys because C.O.s treated me indiffently. and as a result I was harmed. They left the yard when it was clear white inmates were being targeted.

### Second Cause of action

Because I was not given a fair hearing I received 60 days keep lock that was harsh. and only on appeal was it reversed because the hearing officer was impartial.

### Third Cause of action.

I still suffer and have P.T.S.D. Because of the officers treating me wrong. and violating my rights.

2. Prayer For Relief

Wherefor, Plaintiff requests that this Court grant the following relief: \$,000,000<sup>00</sup> in Damages and \$,000,000 in Punitive Damages.

I declare under penalty of Perjury that the foregoing is true and correct.

Date ~~9-18~~ 9-18-2020

Jeremy Reynolds

Signature of Plaintiff